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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

- ☒ Declaration Submitted with Initial Filing ☐ Declaration Submitted after Initial Filing (surcharge [37 CFR 1.16(e)] required)

Attorney Docket Number: FJ2000.39

First Named Inventor: Eric Jackson

COMPLETE IF KNOWN

Application Number: _____
Filing Date: _____
Group Art Unit: _____
Examiner Name: _____

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled _____
"Hydraulic Drive System" the specification of which

☒ is attached hereto
OR

☐ was filed on (MM/DD/YY) _____ as United States Application Number or PCT International Application Number _____ as was amended on (MM/DD/YY) _____ (if applicable).

I hereby stated that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or Inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or Inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

			Certified Copy Attached ?	
	Priority Not Claimed	Yes	No	
<u>9811376.4</u> (Number)	<u>GB</u> (Country)	<u>27 May 1998</u> (Foreign Filing Date)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/0213 attached.

I hereby claim the benefit under 35 U.S.C. 119(e) of the United States provisional application(s) listed below.

_____ (Application Number)	_____ (Filing Date)	<input type="checkbox"/> Additional provisional application numbers are listed on supplemental priority data sheet PTO/SB/0213 attached hereto.
_____ (Application Number)	_____ (Filing Date)	

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International

Applicant, Patentee or Identifier: Eric Jackson Docket No.: FE2000.39
 Application No. or Patent No.: _____
 Filed or Issued: _____
 Title: "Hydraulic Drive System"

**STATEMENT CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Apax Vehicle Developments, Inc.
 ADDRESS OF SMALL BUSINESS CONCERN 2650 Queensview Drive, Suite 200
Ottawa, Ontario K2B 8H6, CANADA

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121, for purposes of paying reduced fees in the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Eric Jackson
 TITLE OF PERSON IF OTHER THAN OWNER Director
 ADDRESS OF PERSON SIGNING 236 Genest Street, #6, Ottawa, Ontario K1L 7Y3, CANADA

SIGNATURE E. Jackson DATE Nov 14, 2000

application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PCT/CA99/00490 27 May 1999 Parent Patent Number
U.S. Parent Application or PCT Parent Number Parent Filing Date (if applicable)

U.S. Parent Application or PCT Parent Number Parent Filing Date Parent Patent Number
(if applicable)

☐ Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached.

As named inventor, I hereby appoint the following practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Registered Practitioner(s) name/registration number listed below

Name	Registration Number
<u>Gary D. Fields</u>	<u>19,604</u>
<u>Brent P. Johnson</u>	<u>38,031</u>

☐ Additional registered practitioner(s) named on Supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: Fields & Johnson, P.C.
8480 East Orchard Road, Suite 5600, Englewood, CO 80111
Country: U.S.A. Telephone: (303) 689-9100 Fax: (303) 689-9250

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor Eric ☐ A petition has been filed for this unsigned inventor
Given Name (first and middle [if any]) Eric Family Name or Surname Jackson

Inventor's signature E. Jackson Date Nov. 14, 2000
Residence 236 Genest Street, #6, Ottawa, Ontario K1L 7Y3, CANADA Citizenship Canada
Post Office Address 236 Genest Street, #6
City, State, Zip, Country Ottawa, Ontario K1L 7Y3, CANADA
Full name of second joint inventor, if any (given name, family name) _____

Second Inventor's signature _____ Date _____
Residence _____ Citizenship _____
Post Office Address _____
City, State, Zip, Country _____

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.